



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,961	10/21/2003	Naohiro Isshiki	03500.017690.	3287

5514 7590 07/27/2006

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
----------	--------------

2618

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/688,961	Applicant(s) ISSHIKI, NAOHIRO	
	Examiner THUAN T. NGUYEN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13 and 15-18 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 9-13, 15-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 2, 6, 8, 12, 14, and 18 are withdrawn in view of the newly discovered reference(s) to Yamazaki (US Patent 6,900,911 B1). Rejections based on the newly cited reference(s) follow.

Remark

2. Claims 2, 8, 14 have been cancelled, and pending claims 1, 3-7, 9-13, and 15-18 are for reconsideration.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-7, 9-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakao (U.S. Patent No. 6,028,676) in view of Yamazaki (U.S. Patent 6,900,911 B1).

Regarding claim 1, Nakao discloses a printing apparatus comprising a setting unit for setting whether printing is executed in excess of a specific deterioration degree or not; and a printing unit for executing the printing on the basis of print information in accordance with the pre-setting by the setting unit (Fig. 4, and col. 4/lines 35-65 as an operator can instructs a host

Art Unit: 2618

computer on whether to print or not to print an image due to a pre-setting condition based on the quality of the image, i.e., whether there will be image inferiority or not (due to deterioration), before printing out to the printer).

Nakao does not further teach the step of “wherein the image is deteriorated and printed on the basis of the print information and whether if a mode is set in which the printing is not executed or executed in excess of the specific deterioration degree has been set by the setting unit, and the printing unit deteriorates the image and executes the printing on the basis of the print information”; however, Yamazaki teaches the same feature as Yamazaki’s image processing apparatus applying image correction technique which can check, compares, and determines whether to set an appropriate mode for correction of image printing based on the calculation processing of amount of correction for image quality deterioration (Yamazaki, col. 1/line 60 to col. 2/line 15; and further in Figs. 8A & 5B, particularly at step 222, and col. 18/line 61 to col. 19/line 40). Therefore, it would have been obvious to one of ordinary skill in the art to modify Nakao’s system with Yamazaki’s teaching technique as disclosed in order to control the setting of printing information based on the setting mode in which the printing is not executed or executed in excess of the specific deterioration degree has been set by the setting unit, and the printing unit deteriorates the image and executes the printing on the basis of the print information.

(Claim 2 has been cancelled).

As for claim 3, Nakao further teaches the setting unit includes an operation panel (Fig. 7 for user interface 1700 as it can be used for inputting control to operate the apparatus; and further in col. 6/lines 19-32 for printing control and display control addressed for printing operation).

Art Unit: 2618

As for claim 4, Nakao further discloses wherein the deterioration includes deterioration due to image compression (col. 2/line 63 to col. 3/line 31 as image data is being compressed and converted to bit data for the laser printer to print).

As for claim 5, Nakao discloses wherein the setting unit includes a unit for setting a degree of the deterioration, i.e., the less of the density of the bit data for the printing process creates the more deterioration (Fig. 4 as printer mode can be set, and refer again to col. 4/lines 35-65 to whether to print or not based on the pre-setting of printer due to the density/deterioration).

As for claims 6, 12, and 18, please refer to claim 1 above for the teaching of Yamazaki for setting the printing information based on the setting mode in which the printing is not executed or executed in excess of the specific deterioration degree has been set by the setting unit, and the printing unit deteriorates the image and executes the printing on the basis of the print information.

(Claims 8 and 14 have been canceled).

Regarding claims 7, 9-13, and 15-18, these claims with same limitations addressed earlier are rejected in view of Nakao and Yamazaki for the reasons given in the scope of claims 1 and 3-6 as discussed above, not limited to the cited paragraphs from the examiner, but to the entire teaching references of both Nakao and Yamazaki.

Conclusion

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to the New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)


Hand deliveries must be made to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Division or Art Unit 2618.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TONY T. NGUYEN
PATENT EXAMINER, FSO

Tony T. Nguyen
Art Unit 2618
July 21, 2006